

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

<i>BERKS COUNTY EMPLOYEES’ RETIREMENT FUND</i> , Individually and On Behalf of All Others Similarly Situated, Plaintiff, v. <i>FIRST AMERICAN CORPORATION, PARKER S. KENNEDY, and FRANK V. MCMAHON</i> , Defendants.	No. 08-CIV-5654 (LAK) NOTICE OF BERKS COUNTY EMPLOYEES’ RETIREMENT FUND’S MOTION FOR APPOINTMENT AS LEAD PLAINTIFF AND FOR APPROVAL OF ITS SELECTION OF COUNSEL
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PLEASE TAKE NOTICE that pursuant to Section 21D(a)(3)(B) of the Securities Exchange Act of 1934 (“Exchange Act”), 15 U.S.C. § 78u-4(a)(3)(B), as amended by Section 101(a) of the Private Securities Litigation Reform Act of 1995 (the “PSLRA”), Berks County Employees’ Retirement Fund (hereinafter “BCERF”), respectfully moves this Court, in connection with the securities fraud class action lawsuit filed against First American Corporation, Parker S. Kennedy and Frank V. McMahon at a date and time to be determined by the Court, for appointment as Lead Plaintiff and for approval of BCERF’s selection of the law firm of Grant & Eisenhofer P.A. as Lead Counsel.

This Motion is supported by the following documents:

- (1) Memorandum Of Law In Support Of Berks County Employees’ Retirement Fund’s Motion For Appointment As Lead Plaintiff And For Approval Of Its Selection Of Counsel; and
- (2) Declaration of Michael J. Barry in Support of Berks County Employees’ Retirement Fund’s Motion For Appointment As Lead Plaintiff And For Approval Of Its Selection Of Counsel.

Dated: August 25, 2008

Respectfully submitted,

s/ Jay W. Eisenhofer
Jay W. Eisenhofer (JWE-5503)
Michael J. Barry
Peter Andrews
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*Counsel for Berks County Employees' Retirement
Fund and Proposed Lead Counsel for the Class*

CERTIFICATE OF SERVICE

I, Jay W. Eisenhofer, hereby certify that on August 25, 2008, the foregoing Notice of Berks County Employees' Retirement Fund's Motion for Appointment as Lead Plaintiff and For Approval of Its Selection of Counsel was electronically filed and served via the Court's CM/ECF Filing System to all known counsel of record.

Dated: August 25, 2008

s/ Jay W. Eisenhofer
Jay W. Eisenhofer